Do you know if the sales manager ever did a background check on employees?
A. No.
Q. Do you know if your father ever did a background check?
A. I don't know.
Q. Who decided whether or not someone would be hired?
A. The sales manager and my father.
Q. Sales manager and your father?
A. Mm-hmm.
Q. You said you had a back office --
A. Yes.
Q. -- in the New York Motor Group?
A. You would walk in and there's two offices. One is on the right-hand side and one on the left-hand side.
Q. Where were you?
A. When you walk in, it would be to the left.
Q. And who was on the right-hand side?
A. Julio Estrada. Those were the only two offices. And then there were desks in

Nada Smith

the front.

Q. There were no cars inside?

A. No, no. It was a trailer.

Q. A trailer?

A. Yes.

Q. So if I understand, the trailer was divided into three parts; an office on the far left, an office on the far right, and then desks in the middle of the space?

A. Yes. And then there was a closet right next to my -- a huge storage closet next to my office.

Q. Is that where files were kept?

A. Yes.

Q. Where did the sales manager sit?

A. In the front. When you walk in, in the --

Q. In the main space?

A. In the opening, yes.

Q. You said that's in the main space?

A. Yes.

Q. How many desks were in that main space?

A. Three.

Nada Smith

Q. The sales manager and who else had desks in the main space?

A. The accountant and the internet salesgirl.

Q. Who was the accountant?

A. We started off with a woman. She was a Spanish woman. I forgot her name. And then there was two different males after her.

Q. Do you remember anybody's name?

A. No, I'm sorry.

Q. Then you said there was an internet salesgirl?

A. Yes.

Q. What was her name?

A. We had different girls. There was one named Jennifer. There was one named Helen, if I'm not wrong.

Q. What was their job?

A. Answering phones. Making appointments -- well, helping me making appointments and phone calls. They would make phone calls to set up appointments with, like, their internet leads that would come in.

Q. What do you mean by "internet

leads"?

A. We advertise on the internet. So if a client saw the ad, she would make a phone call saying, "You're interested in the vehicle, would you like to come in and look at it?" And everything like that.

Q. She would respond to people's inquiries about the ads?

A. Yes.

Q. Would people send in emails about the ads?

A. Yes.

Q. And make phone calls?

A. Yes.

Q. And the internet salesgirl would respond --

A. Yes.

Q. -- to both emails and phone calls?

Who did the internet salesgirl report to?

A. To me.

Q. To you? So you supervised her work?

A. Yeah, we both worked together, so

we would report to each other.

Q. You began working at New York Motor Group in October 2012?

A. Correct.

Q. So how many months did you work with Angel as the sales --

A. Well, he was there until --

Q. I'm sorry, excuse me. There's so many names and dates now. Give me one second.

You said Angel was the finance manager?

A. Correct.

Q. And we've established that his name was Angel Santiago?

A. Correct.

Q. So how many months did you work with Angel Santiago as the finance manager?

A. Up until he left, so three months.

Q. Was there any finance manager after Julio Estrada?

A. No. I left, so.

Q. You left December 2013, you said?

A. Yes.

Q. Would you ever sit in on -- strike

that question.

Were you ever present with Julio Estrada when he met with customers?

A. No. He always told me to get out of the office.

Q. Would you take orders from Julio Estrada?

A. Yes. I mean when he told me to leave the office, I would leave the office.

Q. Did he have authority over you?

A. Well, he was a finance manager, yeah.

Q. Why would he tell you to get out of his office?

A. To speak with a client that he needed to speak to privately.

Q. Would Julio give you papers related to the customers?

A. He would give me, you know, the deal jacket to file.

Q. Would he ever ask you to fax papers to anyone?

A. Make copies, not necessarily -- I probably faxed once or twice something, but I don't usually fax anything for him. I just make copies.

Q. What would you fax for him?

A. If it was something I needed to fax to the bank.

Q. What would be faxed to the bank?

A. A contract. Or their license. Little stuff like that. Or if, you know, the bank needed something to be faxed, I would fax it. But I would see what the bank needed to be faxed, and I would go fax it.

Q. So you would communicate with banks and finance companies?

A. No. He would print out the paper from whatever bank it is and tell me, "This is what they need. Go get it from the deal jacket and fax it" -- he did that probably a couple times, not much.

Q. Did you ever speak to any representatives for banks or finance companies on the phone?

A. No.

Q. Did you ever see Julio Estrada discuss financing with a customer?

A. No.

Q. Did he ever ask you to prepare any of the finance documents?

A. No.

Q. Did he ever ask you to prepare any documents?

A. Just their insurance and stuff like that.

Q. What do you mean, their insurance?

A. Client's insurance for the vehicle.

Q. What would you prepare?

A. I would call the insurance company, give the company the vehicle information, and get the insurance card ready. I did that a couple times. Usually the sales representative would do it. But if he can't get to it, I did it.

Q. Were there any other documents that you prepared?

A. Just made copies of the client's license. Like I said, the same thing. The salesperson usually would handle it, but if he can't, then I would.

Nada Smith

Q. Did you ever witness Julio Estrada request cash from a customer?

A. Unless it was a downpayment that I received and deposited -- other than that, no.

Q. So you had seen him take downpayments from customers?

A. Usually when they give downpayments, they do that before they go in the finance office. They would give it to either the sales representative or the sales manager and then they would hand it over to me and I would go make the deposit in the bank.

Q. So part of your work was to deposit money for the dealership?

A. Yes.

Q. What bank would you deposit that money into?

A. Either Chase or TD. We had both. So either one.

Q. So you did handle cash for the dealership?

A. Yes, just that, just the downpayments.

Q. Were you ever given actual cash?

Nada Smith

A. Yes. From the sales representative or the sales manager for the downpayment for the vehicle.

Q. Where would you put the cash?

A. I had a bank bag that had a lock, and I would bring it over to the bank.

Q. So you would deposit cash with Chase or TD Bank?

A. Yes. Or if there was a check, you know. Whatever the customer had.

Q. What branch?

A. It was in the Woodside area, so whatever the branch is over there.

Q. Both Chase and TD Bank?

A. Mm-hmm. They were both in Woodside, yes.

Q. Would you walk or drive there?

A. No, I would drive there or have someone drive me.

Q. Was any cash ever kept in the dealership?

A. No, I would right away deposit it.

Q. How soon after it was given to you would you deposit it?

Nada Smith

A. At most, probably two hours.
Q. So I just want to clarify. You said that you would drive to the bank to deposit the cash?
A. Or have someone drive me, either/or.
Q. So you would drive? You would drive a car?
A. Yes.
Q. Did you have a license at the time?
A. Yes.
Q. But you don't have a license at the moment?
A. No.
Q. Why don't you have a driver's license at the moment?
A. Personal reasons.
Q. Was your driver's license revoked?
A. It's personal reasons. I would rather not say.
Q. The question is: Was your driver's license revoked?
A. I don't know.

Nada Smith

Q. You don't know if your driver's license was revoked?

A. I don't know.

MR. SIMON: What state are you referencing?

Q. Did New York State ever revoke your driver's license?

A. Once.

Q. When was that?

A. I don't remember.

Q. Why did they revoke your driver's license?

MR. SIMON: I direct my client not to answer. It has nothing to do with the case.

Q. When was your driver's license revoked?

A. I don't remember.

MR. SIMON: I direct my client not to respond.

Q. You don't remember when it was revoked?

MR. SIMON: Give me a chance to object.

Nada Smith

Q. You obtained your New York State identification card -- I'm sorry. This is Exhibit 1. I'm putting it back in front of you. It's your New York State identification card; correct?

A. Mm-hmm.

Q. This says that it was issued to you on December 23, 2013; is that correct?

A. Mm-hmm.

Q. So did you have a New York State driver's license in November of 2013?

MR. SIMON: I direct my client not to answer.

Q. I'm sorry, what did you say?

MR. LANE: She started to answer, before you directed her --

MR. SIMON: I'm directing her not to answer. So don't answer.

Q. Have you ever been arrested?

MR. SIMON: I direct my client not to answer. If you want to ask has she ever been convicted of a crime, that's different, but under the Civil Rights Law of the State of New York you can't

Nada Smith

ask someone if they have ever been arrested.

Q. Have you ever been convicted of a crime?

A. No.

Q. Have you ever been arrested regarding fraud?

A. No.

Q. Did you ever receive complaints about Julio Estrada when you were at New York Motor Group?

A. Toward the end, yes.

Q. When was the end?

A. The last few months that I was there. So between probably the end of August or beginning of September until I left.

Q. How did you get the complaint?

A. Either a phone call, and I would direct it to Julio; or a letter from Consumer Affairs, and I would direct it to Julio, because he was familiar with the issue.

Q. What do you think is the first time you heard a complaint about Julio Estrada?

A. I'm not sure, but I know that it

Nada Smith

got really bad the last few months. That's the reason I left, because it was really too much.

Q. Did you tell your father about the complaints?

A. Yes -- well, not all of them, just the little ones. And, you know, I would tell him that I gave it to Julio to handle it, so we all assumed that he handled it.

Q. Did you ever call the police on a customer?

A. Once I had a client protesting in front of my dealership and I didn't know if he was allowed to or not, so I told them to please, you know, move. They wouldn't, and they were very rude to me, so I went ahead inside and called the police.

Q. Do you remember who that was, who the customer was?

A. I know it was a few Bengalis or Indians. One of them was -- I think one or two were clients that bought vehicles from the dealership.

Q. Did Julio Estrada ever tell you to call the police on a customer?

Nada Smith

A. Well, when I went out there I was, like, I don't know what to do. He was, like, "Just call the police."

Q. Julio told you to call the police?

A. Yes.

Q. Was there any time after that?

A. No.

Q. Do you know who Shehad Kazi is? S-H-E-H-A-D. K-A-Z-I.

A. I think the first name sounds familiar.

Q. Do you recognize that as a customer's name?

A. I think so.

Q. Do you know if the police ever came to New York Motor Group while Shehad Kazi was there?

A. Can you tell me what vehicle they bought, or no?

Q. Yes, sure.

MR. SIMON: Is this a relative of the customer, or the customer?

Q. The vehicle that Shehad was dealing with was a Nissan Murano. If that jogs

Nada Smith

your memory, I will also tell you that his mother's name is Nasrin Chowdhury, and she was the purchaser of the vehicle.

A. Oh, yes. And that was her son.

Q. Her son -- Chowdhury's?

A. Yes, yes. They came in a few times complaining and I directed them to Julio, because I couldn't help them. And Julio would handle it every time. Honestly, I don't remember if the police came or if they called the police maybe once. I don't really remember.

Q. Okay, do you --

A. But I know that clients did call the police a few times.

Q. Customers would call the police?

A. Yes. So, yes, probably most likely they did.

Q. How many times do you remember the police -- strike that. How many times do you think the police came to New York Motor Group while you were working there?

A. I'm not sure how many, but the last few months, a lot.

Nada Smith

Q. More than five times?

A. Yes.

Q. More than ten times?

A. Probably.

Q. In the last few months that you were there, is it possible that police were coming at least once a week?

A. Probably once every two weeks.

Q. At any time while you worked there when Julio Estrada was there, did he ever tell you to make a refund to a customer?

A. If it was a downpayment and they paid by credit card I could have done it, yes. And if it was cash I would call to verify with my dad to give them the downpayment -- you know, to make sure that it was the correct amount that we received, and to make out a check.

Q. Would you make out money orders?

A. No, never money orders.

Q. So you never made out a money order for anyone?

A. I don't --

MR. LANE: Let me rephrase that.

Nada Smith

Q. Did you ever make out a money order to provide a refund to a customer?

A. Me, no.

Q. Would others make out money orders --

A. Julio has done that.

Q. Let me finish the question.

Would others make money orders to provide refunds?

A. Yes.

Q. Who would do that? Who would make the decision about whether or not a refund would be issued?

A. My father and I.

Q. So if Julio wanted a refund made, he would have to talk to you about it?

A. Well, for the downpayments, you know, for the downpayments only. That's all I handled. I found out later on that he was taking money for himself, but that refund I was not responsible for, because that was not money coming into the dealership. He handled those refunds. He didn't have to answer to me.

Q. Which refunds? I'm sorry, I'm

very confused.

A. That are not downpayment-related.

Q. So there were times when you and your father would talk and would decide that you would return a customer's downpayment?

A. Yes.

Q. Why would you return a downpayment?

A. If the customer had an issue with the vehicle we would, you know, buy it back, basically.

Q. What were other refunds that a customer would ask for?

A. Julio was doing -- you know, I found out later on, not while I was working, I didn't know while I was working -- that he was taking money from clients. That's why I'm saying the last few months were really bad, because that's when I found things out, you know. The clients would come complain to me, telling me that they gave Julio "X" amount of money, and they would ask me about it. I didn't know about it, because all I was aware of was the client's downpayment. And they would come complain to me. I would call Julio or direct them over there. He handled their complaint, so I'm guessing he gave them the money back, or I don't know what he did, but he handled the complaint with that.

And that one -- I think he did, if I'm not mistaken, give money orders to that client.

Q. To?

A. The Nissan Murano.

Q. To Shehad Kazi?

A. Don't quote me. I'm not too sure, but I think so. But I know one time he did make -- I don't know if it was once, but I know he did make a money order to a client.

Q. When people would complain that they did not get what they were promised and they wanted their money back, if it wasn't about a downpayment, you would send them to Julio?

A. Yes.

Q. Would you then discuss with your father that people were making those kinds of complaints?